G. R. S. 59] GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

1913
(P. & J.)

P-21

File No. 3017 a/02

Serial Nos. 1 – 8

Papers Filed.

*Month*_____

SUBJECT.

Appeal of 2nd grade Warder Ramaswamy ag'st the Bangalore Central Jail against the order of his dismissal from service.

T. V. R. Iyengar.

PREVIOUS REFERENCES.	LATER REFERENCES.

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

SECTION [illegible]

FILE No. [illegible]

(Full Office Note.)

Subject. Appeal

Petition Regd No 2449 R. dated 3rd April 1903, of Ramaswamy, late 2nd grade warder, Bangalore Central Jail appealing against the order of the Jail Supdt dismissing him from service, which was confirmed by the D. G. of Prisons.

Note.

The Petitioner appeals against the following order of the D.G. of Prisons:—

'With reference to his petition dated 17th March 1903, late 2nd grade warder, Ramaswamy of the Bangalore Central Jail is informed that his record is a bad one and that the Inspector General sees no reason to over-rule the order of dismissal passed by the Superintendent of the said Jail.'

The Petitioner states that the charges (brought against him by the Supdt) viz (1) of stealing wood from the jail, (2) of taking bribes from released prisoners and (3) of absenting himself without permission, are false

*1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

†1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

false and that they were
invented by the Supdt with
a view to injure the Petitioner,
who was unwilling to continue to
be reduced to serve as
Supdt's Coachman.

The Petition mentioned above
was forwarded to the Inspector
General of Prisons for a report
with records. The records
received from that office
disclose the following facts
concerning the Petitioner's past
history:—

Ramaswamy was entertained
as a Contingent warder on Rs6
per mensem from January to July
1896. From 1st August 1896 he
was promoted to a 3rd grade warder
on Rs7. From June 1897 to 19-9-98
he held the rank of 2nd grade
warder on Rs8, when he was
dismissed by Mr Sparkes for
absenting himself without leave.
On 1st September 1901 he was
re-entertained as 3rd grade warder
on Rs7. & on the 5th August 1902 he
was promoted to 2nd grade warder
and remained till the 10th
March 1903 from which
date he kept away from duty.
On the 10th March the Supdt reduced
the Petitioner from the 2nd grade
to the 3rd grade, because he was
detected stealing wood from the
jail

Jail, was reported to have taken bribes from released prisoners and absented himself without leave

On the 20th March 1903, the Supdt dismissed the Petitioner as he had absented himself from duty without leave from the 10th March 1903, and had thereby rendered himself liable to be punished by the Supdt. Against this order, the Petitioner appealed to the Inspector General who passed the order above referred to, which is now appealed against.

The immediate cause of the Petitioners' dismissal from service is his absence without leave from the 10th March 1903, the date on which the Supdt passed the order reducing him to the 2nd grade. With regard to his absence the Petitioner states that he did not attend duty from the 10th March, because he was unreasonably degraded from the 2nd to the 3rd grade and was keeping up correspondence in the matter.

Two charges are brought against the Supdt, by the Petitioner, viz,
(1) That the Supdt, made the Petitioner do the duties of a Coachman.
(2) That the Supdt daily got his

one/pleasketful of wood and one basketful of cowdung cakes from the jail for his own private use.

As regards the 1st charge, the Supdt admits that the Petr was sent as his orderly, and that as he could not get a man to drive his pair, he gave Ramaswamy 2Rs a month from his pocket to drive in the evening occasionally, and that even this he did not do regularly? No explr is furnished as regards the 2nd charge.

The Inspector General in submitting the records as called for states that the warder in question was suspended on the 26th March 1902, for one month for striking a prisoner, for which he was tried criminally but acquitted for want of evidence, that he was fined 4 annas in February 03 for late attendance and dismissed by the Supdt for stealing pieces of wood from jail Karkhana and absenting himself from duty in spite of repeated warnings, & that the dismissal was upheld

as if such characters are allowed to continue in the jail service it will be impossible to maintain and uphold discipline.

Submitted for orders

14/5/03

16/5/03 The petitioner may, if approved, be informed that the Govt. see no reason to interfere with the order of dismissal.

16.5.03

If the man had been convicted for stealing wood after trial, the punishment is richly deserved. But there does not seem to be proof ab. it. If this view is taken, perhaps it may be suggested to the D.G. that the Petr may be restored & transferred with a warning to another (Alwaye) Jail?

21/5/03

The Dewan through the 2nd Councillor — I am not sure that this is not a hard case — But in a matter of this kind I cannot see how Govt can interfere. I would reject the appeal. In sending a copy of our order to the D.G. we may ask him to inform the Limit that his hasty abstraction of his action in

J. 22 to 26/5/03 compatry

21/5/03

6

employing the Petitioner as a coachman — he may further tell the 2nd that the Petr need not be put into the proscribed list, ~~and that Govt will not be charged for~~ ~~the Petr in Petn~~ — U.

24/5/03

Rs 25 5.03
005 1045

9 carriages
27.V.03

Dr. Hamy
1/6/3.

1/6.03

Draft Letter

1/6/03

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

SECTION P.& G.

FILE No. 30 A (Full Office Note.)

SERIAL No.

Subject.

Petition of late 2nd grade.
Warder Ramaswamy.

Ramaswamy's petition
No. 2770 dated 19/20 . 5 . 03.

* Note. Submitted
The file of papers relating to Ramaswamy's case, has been submitted to the 2nd Councillor. It was sent to Bobby on the 22nd Current. May this be submitted in continuation?

S.O. 25/5.

X Subd: to the Dewan on 25-5-03.

Yes, if approved & after perusal by Pet: by him.
25.5.03

Yes Hon
27/5/03

27.5.03

1254
27-5-03.

The file has gone to the Dewan to whom this may be submitted in continuation
28/5/03

Subd to Dewan.
30-5-03

1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

‡ 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

&

0200

Submitted to Secretary

This file has been reunited with Secretary's order thereon on 30.5.03.

4.6.03
Nuyoore

Mrs.

Order has been issued.

4/5/63

4.6.03

Submitted

7.4.03

SECTION P & G

17a/02

FILE No. 30 A 03

BRANCH No. 1

To Asst

(2nd time: the Secy wanted the file)

7/4/03

Send for records -

7/4/03

Asst to put up

Recd 11.4.03

The petr. makes some serious allegations against Mr. Hume Wright. There seems, however, in the face of the endorsement given to Petr by the Dy Supdt, to be no reason for interference on the part of the Govt.

11.4.03

Dy Secy see the Secy's order above. Please call for records

6.4.03

OFFICE OF THE
Regd. No. 1018
11 APR. 1903

1902-03

1228

(1)

No. 2249

Name of Petitioner Ramaswamy late 2nd grade Warder central jail

Village

Taluk

District Bangalore

Date of Arzi 3.4.03

Date of Receipt 3-4-03

Date of Disposal

No. of Enclosure one

ABSTRACT

Appeal against the order of the Inspector General of Prisons in Mysore confirmed by the Central Jail Supdt in Endt No 747 dated 30-3-03 (only a private copy of which has been produced) declining to interfere with the order of dismissal from the Warder's post, passed by the Supdt.

The petr submits that

MGCPB—5,000—10-11-02

the charges

levelled against him by
the Supt. there malicious
and unfounded, that
the petr being unwilling
to serve as a coach man under
the Supt, the latter began
to hate the petr and has
unjustly dismissed him; and
that the petitioner has not
been justly treated by the
Inspector General of Prisons.

Prays for removal
of the a full enquiry into
the case and for reinstate-
ment of the petr if found
not guilty.

4 4/03

Draft- (1)

SECTION P & G.
FILE No. 2002
Serial No. 2

To

The D. S. of Prisons
in Mysore.

No. J 1622 & L. 1+1
Date. 16/4/03.

Has the honor to forward herewith an appeal petition with its Enclosures received in this office from one Ramaswamy, late 2nd grade Warder of the Central Jail, Complaining against his dismissal by the Superintendent of the said Jail, and to request that these may be returned early with the records of the case

4

his case.

By Order

14/4/03 for Secretary.

Secretary's Order.)

S.O.
14/4.

Reference
ಪತ್ರ
21-4-03

24/4/03 ಇದು ಜೈಲು ಇಲಾಖೆಯ
(ಬೆಂಗಳೂರು - 4 - ಜೈಲು
ಕಾರ್ಯದರ್ಶಿ -
ಇವರಿಗೆ
22-4-03

J. transferred to the judicial
Branch in continuation -

ಪತ್ರ -
ಇವರಿಗೆ
23-4-03

24/4/03

J 237/4

1902-03

No. 2565

Name of Petitioner Ramaswamy

Village 2nd grade Warder Central Jail

Taluk Bangalore

District

Date of Arzi

Date of Receipt 20.4.03

Date of Disposal

No. of Enclosure Nil

SECTION Judl

FILE No. 17 of 03

SER'AL No. 3

ABSTRACT

Adverting to his petition dated 3rd instant, prays that the Acquittance Roll, Attendance Register and the Judgment copy be sent for with the records before passing final order in connection with this complaint.

21/4/03.

References furnished.

28/4/03

MGCPB—5,000—10-11-02

(4)

To

The Inspector General
of Prisons
in Bhyporé

28/4/03.

Dated 28/4/03.

No J. 1700.

Ed. 1.

In continuation
of this office No J. 1622
dated the 16th April 1903,
has the honour
to forward herewith
Petition No 2865
dated 20th April 1903
received from Rama-
-swamy, late Warder
Central jail, and
to request that the
acquittance roll and
other papers referred
to by the Petitioner
may also be forward-
-ed for reference.

By order
28/4/03
for Secretary

... P. & J.
DT. 30 APR 03
SER'AL 4

57

From

Lt.-Colonel Percy.H.Benson M.B., I.M.S.,

Inspector General of Prisons in Mysore,

Bangalore.

To

H.V.Nanjundayya Esqr: M.A, M.L.

Secretary to the Government of Mysore,

General and Revenue Departments, Bangalore.

No. 419 J -Enc: 8

Dated 12th May 1903.

18

SECTION P-49.

FILE NO. 30 of [illegible]

SERIAL NO. 5

Sir,

Adverting to your Docket No.J.1622 dated 16th April 1903, forwarding an appeal petition with its enclosure received in your office from one Ramasamy late 2nd Grade Warder of the Central Jail and requesting to return the same with the records bearing on his case, I have the honor to return herewith the appeal petition with its enclosure together with the records in original (to be obligingly returned when no lpnger required) bearing on the case of 2nd Grade Warder Ramasamy of the Bangalore Central Jail and to state that the Warder in question was suspended on the 26th March 1902 for one month for striking a prisoner for which he was tried criminally but acquitted for want of evidence he was consequently re-instated by me with a warning.

2. He was fined 4 annas in February 1903 for late attendance and dismissed from the service by the Superintendent for stealing pieces of teak-wood from Jail Karkhana and absenting himself from duty in spite of repeated warnings.

3. The dismissal was upheld by me as if such characters are allowed to continue in the Jail service, it will be impossible to maintain and uphold discipline.

I have the honor to be,
Sir,
Your most obedient servant,

Nanjundayya

For Inspector General of Prisons
in Mysore.

M.C.G.

lives of peace and order in the future.

4. The releases and remissions will be announced and given effect to at each place by the District Magistrate concerned or in his absence by the Senior Magisterial officer present, or in the absence of both the above, by the Superintendent of the Jail or Officer in charge of the Lock-up.

18/12/11

Secretary.

To.

The Inspector General of Prisons in Mysore with lists A to F mentioned in para 1.

The District Magistrates of all Districts.

The Registrar of the Chief Court of Mysore.

9 (6)

From

Lt-Colonel Percy H.Benson M.B.,I.M.S.

Inspector General of Prisons in Mysore,

Bangalore.

To

H.V.Nanjundayya Esqr: M.A.,M.L.

Secretary to the Government of Mysore,

General and Revenue Departments.

SECTION P & G

FILE No. 30 & 02

SERIAL No. 6

No. 438/9. Ex. 341

Dated 19th May 1903.

Sir,

As requested in your office docket No.J.1700 dated 28th April 1903, I have the honor to forward for reference and obliging return, when no longer required, the marginally noted records received from the Superintendent Bangalore Central Jail, bearing on the case of late warder Ramaswami of that Jail.

The enclosure received with your docket under reply is herewith returned.

I have the honor to be

Sir,

Your most obedient servant

H.Nanjabba

For Inspector General of Prisons in Mysore.

1. Acquittance Roll 2. Attendance Register.
3. Copy of Judgment re-acquittal of Ramaswami.

10

1903. No 2481

FROM The Inspector General of Prisons in Mysore

To

The Secretary to the Government of Mysore Genl & Rev. Depts

Dated 19th May, 03

Despatched 20-

Received

General No. 438

No.

Enclosure No. 3+1

Cc the reference to Secy, dated No 9. 1700 dated 28th April 1903, forwards for reference & return the records therein called for relating to late warder Ramaswami of the Bangalore Central

/

f

21-5-03

Please see the attached file which is under transmission to Govt, keep for acqy: and ack: Yr. (enclosures), the hearing of which on the petns entitled Fr clear. 22.5.03

MGCPB—3-3-01—50 reams.

2565
20-4-1905

To.

The Secretary to the Govt
of Mysore General and Revenue
Departments ——

Most Respected Sir;

In continuation of my
2565 humble petition of 3rd Instt, I humbly
beg to inform that the Acquittance
Roll, attendance Register, and the
judgement Copy may kindly be
sent for along with the file of Records
as they would clerly prove your honour
that the Statements made against
me by the Superintendent in the
Records are false and that an
innocent and poor servant has
been purposely made to fall victim
to the prejudice of the Superintendent.
Hoping that my pitiable case will be
carefully enquired into and due justice
will be given to me.

I humbly beg to remain
sir
your Honour's most obedient Servant

2nd grade Warder
Central Jail, Bangalore

In the Court of the City Magistrate
Bangalore.

Case No. 1

Dated 4th April 1902.

Present - Mr. S. Vaidyanatha Iyer

Criminal Summary Case No. 527 of 1901-02
732

Complainant :- ——— Accused

Government (Municipality) -vs- Ramasamy

Charge under Section 49 Mysore Local Municipal

Judgment.

Accused pleads not guilty.

Four witnesses for the prosecution were examined. The 4th witness speaks to having found some drops and confusion on the person of the 1st witness, while the 1st witness says that he had gone out for urinating; the 3rd witness has it that the went to ease his bowels. Again while the 1st witness says that he had been bleeding, the 2nd & 3rd witnesses deny it; and lastly while the 1st witness says that it was in the backyard of the Compound that he was pounding with his pestle, the 3 witnesses says that it was in the front portion of the Compound where there is a Lepoy Sundry Standing. These contradictions put together with the fact that the complainant might have received

a

12

received a blow from his neighbours pickaxe.
on account ~~arising to the workers~~ ppk.
on hoe during the work. I to show that
the accused did not cause any injury
on the complainant. Hence I find him
not guilty of the offence under Sec 49
of the Jail Manual and therefore the ~~Prosecution~~
Charge acquit him

Sd/ S. Veerabhadra Rao
Addl Magistrate

Addl Mag
Court
Bangalore.

"True Copy"

N. Krishna Rao
Asst Munshi
Addl Magistrate Court.

"True Copy"

Illegible
Interpretation of Law

No. 1954 4/6/03. Mysore Dewan's Office — (4)

J.M.

Endorsement granted to Ramaswamy, late 2nd grade Warder, Central jail, in reply to his Petitions Registered Nos. 2449 & 2565 dated 3rd and 20th April 1903, appealing against the order of the Inspector General of Prisons declining to interfere with the order of the Supdt. Central jail, dismissing the Petitioner from service.

SECTION P & J

FILE No. 30 A 1

SER'AL No. 786

Petr. is informed that Govt. do not see fit to interfere with the order of dismissal passed against him, & therefore reject his appeal.

By order

Asst. Secy.

4/6/03

1955 4/6/03 Letter to the Superintendent of Central jail with reference to correspondence ending with his letter No. 430 of 19th May 1903, with the request that he will inform the Superintendent of the Central Jail (Mr. Hume Wright) that Govt. do not approve of his action in employing the petr. as a coachman. Govt. further observe, in view of the circumstances of the case, that the petr. ought not

5

Rule considered, by reason of his dismissal, to be debarred from re-employment in this or any other Dept.

Enclosures returned.

Depuis à 2e considération

1/6/03

2/6/3